LEONARDO RUIZ MENDEZ
(Name)
P.O.BOX 8504
(Address)
COALINGA, CAL. 93210
(City, State, Zip)
T48606
(CDC Inmate No.)

FILED
2007 DEC -7 PM 3:34
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: [signature] DEPUTY

2254 ___	1983 ✓
FILING FEE PAID	
Yes ___	No ✓
IFP MOTION FILED	
Yes ___	No ✓
COPIES SENT TO	
Court ✓	ProSe ___

United States District Court
Southern District of California

LEONARDO RUIZ MENDEZ
(Enter full name of plaintiff in this action.)

Plaintiff,

v.

L.E SCRIBNER WARDEN, C.S.P.
W.J. PRICE, ASSOCIATE WARDEN C.S.P.
R. PERAZA CORRECTIONAL OFFICER
R. LIZARRAGA, CORRECTIONAL OFFICER
(Enter full name of each defendant in this action.)

Defendant(s).

'07 CV 2299 DMS BLM

Civil Case No. ___
(To be supplied by Court Clerk)

Complaint Under the Civil Rights Act 42 U.S.C. § 1983

A. Jurisdiction

Jurisdiction is invoked pursuant to 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional authority, list them below.
CIVIL RIGHTS Y CONSTITUTION RIGHTS.

B. Parties

1. Plaintiff: This complaint alleges that the civil rights of Plaintiff, LEONARDO RUIZ (print Plaintiff's name) MENDEZ, who presently resides at P.O. BOX 8504 (mailing address or place of confinement) COALINGA, CAL. 93210, were violated by the actions of the below named individuals. The actions were directed against Plaintiff at CALIPATRIA STATE PRISSION (institution/place where violation occurred) on (dates) 12-09-02 (Count 1), 8-7-03 (Count 2), and 12-9-04 (Count 3).

2. Defendants: (Attach same information on additional pages if you are naming more than 4 defendants.)

C. (4) 04-13-2007.

§ 1983 SD Form
(Rev. 5/98)

K:\COMMON\EVERYONE\1983\1983FORM.COM

Defendant L.E SCRIBNER. resides in IMPERIAL COUNTY,
(name) (County of residence)
and is employed as a WARDEN OF CALIPATRIA PRISION. This defendant is sued in
(defendant's position/title (if any))
his/her ☑ individual ☑ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: Y RESPONSABLE DE MI SEGURIDAD.
QUIEN NO TIENE CONTROL DE LA PRISION.

Defendant W. J. PRICE resides in IMPERIAL COUNTY,
(name) (County of residence)
and is employed as a ASSOIATE WARDEN. This defendant is sued in
(defendant's position/title (if any))
his/her ☑ individual ☑ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: QUIEN ES RESPONSABLE POR "D" YARD.
INCLUYENDO LOS OFICIALES RESPONSABLES DE LA YARDA
"D". EN LA SEGURIDAD.

Defendant R. PERAZA resides in IMPERIAL COUNTY,
(name) (County of residence)
and is employed as a CORRECIONAL OFFICIAL. This defendant is sued in
(defendant's position/title (if any))
his/her ☑ individual ☑ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: QUIEN ES RESPOSABLE SUPERVISOR DE LOS
INTERNOS. Y LOS OFFICIALES DE LA M.T.A. NO ME
ENVIARON AL DOCTOR PARA QUE ME EXAMINARA.

Defendant R. LIZARRAGA. resides in IMPERIAL COUNTY,
(name) (County of residence)
and is employed as a CORRECTIONAL OFFICER. This defendant is sued in
(defendant's position/title (if any))
his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law: QUIEN ES RESPONSABLE DE MI SEGURIDAD.
EN ESTE CASO NO FUI EXAMINADO POR DOCTOR, NI DE
LOS OFFICIALES Y NO FUI EXAMINADO POR DOCTOR OR ANY NURSE

C. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

Count 1: The following civil right has been violated: NO FUI PROTEGIDO FROM CRUEL Y UNUSUAL CASTIGO.
(E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 1.]

VER EL EXHIBIT "B":

EL INTERNO LEONARDO RUIZ MENDEZ DE 69 AÑOS DE EDAD T48606; EL LUNES 09- DE DICIEMBRE DEL AÑO 2002, APROXIMADAMENTE A LAS 17:35 HORAS, EL INTERNO LEONARDO RUIZ MENDEZ SE TRASLADABA DEL EDIFICIO NUMERO D-3, CELDA H 246L, AL COMEDOR DE CALIPATRIA STATE PRISSION, FUE ATACADO POR LA ESPALDA RECIVIENDO UN FUERTE GOLPE EN LA NUCA, DERRIBANDOLO DE CARA AL PIZO CUANDO CRUZABA POR LA ESQUINA OESTE DEL EDIFICIO D-1; HABIENDO SIDO NOQUEADO COMPLETAMENTE; EL OFICIAL DE NOMBRE R. PERAZA PONIENDOLE SU RODILLA AL INTERNO ARRIBA ANUNCIADO Y COLOCANDOLE LAS ESPOSAS MANOS EN LA ESPALDA, Y CON LA RODILLA APLICANDO PRESION EN LA NUCA CONTRA EL PIZO.

EL OFICIAL R. PERAZA, REPORTO CON FALSEDAD LOS HECHOS OCURRIDOS, POR QUE, EL INTERNO LEONARDO RUIZ MENDEZ T48606 FUE VICTIMA, EN LA ACCION.

VER EL EXHIBIT "B".-

NOTA NO FUE EXAMINADO POR DOCTOR NI ATENCION MEDICA.-

Count 2: The following civil right has been violated: NO FUI PROTEGIDO POR CRUEL Y UNUSUAL CASTIGO (E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 2.]

VER EL EXHIBIT "C": ARGUMENTOS DE SERIOS PELIGROS Y DAÑOS A LA SALUD: -

EN 8-7-2003, APROXIMADAMENTE A LAS 09:50 HORAS EN EL AREA DE LA CANCHA DE BASQUET BOL, QUE ESTA UNICADA ENTRE LOS EDIFICIOS D-1 Y D-2, YARDA DE PROTECCION (SNY) FUE ATACADO POR LA ESPALDA Y DERRIBANDOLO CARA AL PIZO AL INTERNO LEONARDO RUIZ MENDEZ DE 68 DE EDAD; EN C.S.P. CALIPATRIA DEL ESTADO DE CALIFORNIA; POR ELEMENTOS NO IDENTIFICADOS; PONIENDOLO EN SERIOS DAÑOS FISICOS Y EMOSIONAL DAÑOS A LA SALUD; CON FUERTE GOLPE EN LA NUCA COMPLETAMENTE NOQUEADO, DE CARA AL PIZO, FUE PUESTO DE PIE Y APLICANDOLE AGUA FRIA EN LA CABEZA: AL RECOBRAR EN CONOCIMIENTO EL INMATE LEONARDO RUIZ MENDEZ T48606, INICIO EL CAMINO CON RUMBO A LA OFICINA DEL MIDICO TRATAMIENTO Y ASISTENCIA. EVACUANDOLO AL CENTRO MEDICO DE LA INSTITUCION DE REAVILLITACION DE C. S. P. SE LE APLICARON LOS RAYOS "X" - OBSERVANDO LA ROTURA DE DOS COSTILLAS DEL LADO IZQUIERDO DEL CUERPO.

SE DESCONOCEN LA O LOS AGRESORES Y RESPONSABLES DE LOS HECHOS. NO HABIENDO RECIVIDO PROTECCION NI ASISTENCIA DE LOS OFICIALES RESPONSABLES DE LA YARDA YA MENCIONADA, NI REPORTE DE LOS HECHOS ANTES MENSIONADO EN PERJUICIO DE LA VICTIMA O SEA EL INTERNO LEONARDO RUIZ MENDEZ. T48606. — PLEASE VER EXHIBIT-"C".

Count 3: The following civil right has been violated: NO FUI PROTEGIDO POR CRUEL

(E.g., right to medical care, access to courts,

Y UNUSUAL CASTIGO

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 3. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 3.]

VER EL EXHIBIT "D".

EN EL MES DE DICIEMBRE 09-2004, EL OFICIAL DE NOMBRE R. LIZARRAGA, EMPLEADO DE CALIPATRIA PRISION DEL ESTADO DE CALIFORNIA, CAUSO AL INTERNO LEONARDO RUIZ MENDEZ T48606, DE 69 AÑOS DE EDAD, SEVEROS DAÑOS FISICOS AL CORTARLE LA PIEL EN FORMA CIRCULAR DE UN CUARTO DE PULGADA EN LA PARTE INTERNA DE LA MANO DERECHA A LA ALTURA PARTE ALTA DE LA MUÑECA, CAUSANDOLE BROTARA SANGRE DE LA HERIDA, CAUSANDOLE DOLOR IRRAZONABLE, Y EMOSIONAL Y SUFRIMIENTO, POSTERIORMENTE EMPUJO AL INTERNO Y JALANDOLO Y ESCUPIENDOLE LA CARA ADENTRO DE LA CELDA #241 DEL EDIFICIO 5 DE LA YARDA "A", POSTERIORMENTE, COMO A LOS DOS O TRES MINUTOS REGRESO Y AMENAZO AL INTERNO LEONARDO RUIZ MENDEZ T48606, DICIENDOLE: SI, ME REPORTAS, REGRESARE Y TERMINARTE.-

EN ESTA OCASION, NO SE LE DIO ASISTENCIA MEDICA.-

EL INTERNO ES DIABETICO, CON ALTA PRESION. VER EXHIBIT "D"

D. Previous Lawsuits and Administrative Relief

1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts

involved in this case? ☐ Yes ☒ No.

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:
Plaintiffs: N/A
Defendants: N/A

(b) Name of the court and docket number: N/A.

(c) Disposition: [For example, was the case dismissed, appealed, or still pending?] N/A.

(d) Issues raised: N/A.

(e) Approximate date case was filed: N/A.

(f) Approximate date of disposition: N/A.

2. Have you previously sought and exhausted all forms of informal or formal relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDC Inmate/Parolee Appeal Form 602, etc.] ? ☒ Yes ☐ No.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

VER EL 602 APELACION. 03-30-06, VER EL EXHIBIT "E. POR SCREENED OUT APR. 25-2006 Y VER EXHIBIT "F".

EL VIERNES 13, 2007, APROXIMADAMENTE A LAS 13:35 HORAS, EN LA YARDA "D", EL INTERNO DE NOMBRE LEONARDO RUIZ MENDEZ, T48606, DE 71 AÑOS DE EDAD, FUÉ ATACADO POR LA ESPALDA CON PREMEDITACION, ALEBOCIA, VENTAJA Y COVARDIA POR EL INTERNO DE NOMBRE GARCIA F16090 Y POR POSIBLES DE SUS AMIGOS, CRUEL UNUSUAL PUNISHMENT, EMOCIONAL DAÑOS A LA SALUD.

O COMPLICES NOMBRADOS EN LA HOJA NUMERO "3" DEL EXHIBIT "F". CON ARMA BLANCA PUNZO CORTANTE, CAUSANDOLE PELIGROSAS HERIDAS EN LA GARGANTA, CARA, OREJA Y CABEZA, DEL CACHETE IZQUIERDO Y PARIETAL IZQUIERDO, TRATANDE DE MATARLO AL CORTARLE LA VENA YUGULAR Y TEJIDO OSEO DEL PEZCUEZO DEL CENTRO HASTA EL LADO IZQUIERDO DEL INTERNO LEONARDO RUIZ MENDEZ EN UN LAPZO DE TIEMPO APROXIMADO DE 7 A 9 SEGUNDOS. CUANDO EL INTERNO DE NOMBRE GARCIA F16090, CUANDO PERDIO LA OPRECION QUE EJERCIA CONTRA EL INTERNO LEONARDO RUIZ MENDEZ, INICIO LA FUGA CORRIENDO CON INTENCION DE ESCONDERSE EN LOS INTERNOS QUE HABIA EN LA YARDA D-#2.-

EL INTERNO LEONARDO RUIZ MENDEZ VICTIMA DE LA AGRECION SE DIRIGIO CAMINANDO COMO 30 O 40 YARDAS PARA REPORTAR ESTOS AGRAVIOS DE SU PERSONA, A LOS OFICIALES ENCARGADOS DE LA VIGILANCIA, LOS CUALES NO PROPORCIONARON AYUDA A LA VICTIMA - NI ASISTENCIA O PROTECCION; LOS CUALES SE ENCONTRABAN EN LA EZQUINA DEL LADO OESTE DEL EDIFICIO DE LA YARDA D-5. -

EL INTERNO, LEONARDO RUIZ MENDEZ T48606 FUE LLEVADO EN AMBULANCIA AL HOSPITAL DE LA CIUDAD BRAWLEY CALIFORNIA, DONDE FUE INTERVENIDO QUIRURGICAMENTE RECIBIENDO 100 - PUNTADAS DE SUTURA, EN LAS DIFERENTES PARTES: PEZCUEZO, CARA, OREJA, Y CABEZA, EL PARIETAL IZQUIERDO, HERIDAS QUE POR EL LUGAR UBICADAS, PUEDEN CAUSAR LA MUERTE Y DEJAN CICATRIZES PERMANENTES Y VISIBLES. VER EL EXHIBIT- "F". . . . . .

LOS OFICIALES RESPONSABLES, PROTECCION NULA. -

NOTA, SOY DIABETICO, ALTA PRESION SANGUINEA, DOLORES DE ESPALDA Y COSTILLAS LA IZQUIERDO DOLOR PERMANENTE.— DESDE EL AÑO 2003. "7"

E. Request for Relief

Plaintiff requests that this Court grant the following relief:

1. An injunction preventing defendant(s): NADA

2. Damages in the sum of $ 240,000.00 EACH DEFENDANT. 240,000.00 EACH
3. Punitive damages in the sum of $ 240,000.00 EACH DEFENDAT.
4. Other: C.4 5,240,000.00 FOR THIS DEFENDAT.

F. Demand for Jury Trial

Plaintiff demands a trial by ☑ Jury ☐ Court. (Choose one.)

G. Consent to Magistrate Judge Jurisdiction

In order to insure the just, speedy and inexpensive determination of Section 1983 Prisoner cases filed in this district, the Court has adopted a case assignment involving direct assignment of these cases to magistrate judges to conduct all proceedings including jury or bench trial and the entry of final judgment on consent of all the parties under 28 U.S.C. § 636(c), thus waiving the right to proceed before a district judge. The parties are free to withhold consent without adverse substantive consequences.

The Court encourages parties to utilize this efficient and expeditious program for case resolution due to the trial judge quality of the magistrate judges and to maximize access to the court system in a district where the criminal case loads severely limits the availability of the district judges for trial of civil cases. Consent to a magistrate judge will likely result in an earlier trial date. If you request that a district judge be designated to decide dispositive motions and try your case, a magistrate judge will nevertheless hear and decide all non-dispositive motions and will hear and issue a recommendation to the district judge as to all dispositive motions.

You may consent to have a magistrate judge conduct any and all further proceedings in this case, including trial, and the entry of final judgment by indicating your consent below.

Choose only one of the following:

☐ Plaintiff consents to magistrate judge jurisdiction as set forth above.

OR

☑ Plaintiff requests that a district judge be designated to decide dispositive matters and trial in this case.

11-29 2007.
30-
Date

Leonardo Ruiz Méndez
Signature of Plaintiff

§ 1983 SD Form
(Rev. 5/98)

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- SEPARATION
PAGE EXHIBIT "B"

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EXHIBIT B

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BK

CASE #1 PG. #. 1

HONORABLE DIRECTOR OF CORRECTION
ATTENTION: CHIEF, INMATE APPEALS.
SACRAMENTO, CALIFORNIA, P. O. BOX 94283-0001

THE PEOPLE OF CALIPATRIA STATE PRISON.-	NOTICE OF DE MOTTION.
	CASE # B157194
VS.	SUP.C. # TA061861
LEONARDO RUIZ MENDEZ	BK
T48606-D-3-216L. DEFENDANT IN PROPER.	POW. P.C. § 1258

5/0 Time 2002 incident

ARGUMENTS OF SERIOS PHYSICAL HARM.

I AM. LEONARDO RUIZ MÉNDEZ T48606 OF 69 YEAR'S OLD; I AM DECLARE UNDER PENALTY OF PERJURY THATS: ON MONDAY DECEMBER 09-2002, APROXIMATELY AT 17:35 HOURS, DURING THE EVENING MEALS, I WAS WALKKING ON TRACK FROM BUILDING D-3 CELL 246L, TO THE CALIPATRIA STATE PRISON OF THE CALIFORNIA STATE: TO THE DINING ROOM BAY THE WEST SIDE CORNER OF THE BUILDING D-1; SOME ONE HITED MAY NECK FROM BEHIND ME, I FELLDOWN FACED TO THE GROUND COMPLITY KNOKOUT: I DON'T KNOW HWO AND WHY WOULD HAVE DONE IT; TO THE INMATE LEONARDO RUIZ MENDEZ OF 69 YEARS OLD.

THE OFFICER BY THE NAME R. PERAZA, WHO WAS ON DUTY OF THE YARD, HE WAS SET ON HIS REPORTED WITH FALSE STATEMENT, AND HE FAILED OF THE TRUTH. BECAUSE THE INMATE NEVER HAVE BEEN IN THE ACTION AS THE HONORABLE OFFICER SET ON HIM REPORTED.-

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THIS MATTER WAS HAPPENING FAILED THE PROTECTION WAS DUSH FAR AND NOT MATERIALIZED. — BECAUSE THE INMATE BY THE NAME CAMACHO PLACED TO THE INMATE BY THE NAME LEONARDO RUIZ MENDEZ ON RISK PHYSICAL SERIOS, AND EMOTIONAL HARM, DAMAGE OF THE HEALT; I AM DIABETIC WITH HIGH BLOOD PRETION, I HAD NOT OF THE REAL MEDICAL THRATAMENT. —

DATE: SEPTEMBER 29 — 2005
CALIPATRIA, CALIFORNIA, 92233

Leonardo Ruiz Méndez.
T48606. —

AUTHORITIES:

P. C. § 1237. 1
P. C. § 2900. 3.
PEOPLE VS. THOMAS (1999) CAL. 4TH — 1122

P. C. § 422. b
P. C § 673
PEOPLE VS. GUILLERMO GARCIA (4—6—2004)

P. C. § 1258

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SEPARATION

EXHIBIT-"C"

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EXHIBIT- C.

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CASE #2. PG. 1

2003 5/0 time

DIRECTOR OF CORRECTION.
ATTENTION CHIEF, INMAT APPEALS.
SACRAMENTO CALIFORNIA P.O. BOX 94283.

PLANTIFF.

LEONARDO RUIZ MENDEZ. T48606.	CASO #B157194
VS	
PEOPLES CALIFORNIA STATE.	SUP. COURT. #TA061861
CALIPATRIA STATE PRISON.	POW. P.C. § 1258

ARGUMENTS OF SERIOS RISK PHYSICAL AND EMOTIONAL HARM, INJURIOUS TO HEALT.

ON 8-7-2003 AROUND 09.50 HOURS AT AREA OF THE BASQUET BALL COURT THERE IS BETWEEN OF THE BUILDING D-1 AND BUILDING D-2 OF THE "D" YARD. FACILITY, SOME ONE OR WHO PLACED TO LEONARDO RUIZ MENDEZ T48606, ON SERIOS RISK PHYSICAL, AND EMOTIONAL HARM INJURIOUS TO THE HEALT.-

I AM. LEONARDO RUIZ MENDEZ OF 69 YEARS OLD: I DECLARE UNDER PENAL OF PERJURY THATS: I DON'T KNOW WHO OR W'HAT PERSON HITED AND PUSHED ME FROM BEHIAD ME, AND I FEELT DOWN FACED TO THE GROUD COMPLITY KNOKOUT, SOME ONE PULL ME UP AND SPRAYED COOL WATER ON MAY HEAD, AFTER THIS ACTION I WAS WALKING ALON TO THE M.T.A. OFFICES, FOR DOCTOR HELP; 3 OR 4 HOURS, THE NURSE SENDED ME TO THE CENTRAL HEALT

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OF THE CALIPATRIA. STATE PRISON FOR DOCTOR EXAMINATION AND THEIR FOUND AT THE LEFT SIDE OF MAY BODY TWO BROKEN SHORT RIBESTo—

I DONT KNOW WHO AND WHY WOULD HAVE DONE IT.—

AT THIS TIME YOUR HONOR THAT: I WOULD LIKE TO KNOW, THE RAZON I HAD NOT HELP FROM THE OFFICER WAS ON DUTY IN THE YARD AND NO REPORTED THIS HAPPENED.—

DATE. CALIPATRIA STATE PRISON-OF CALIFORNIA STATE 9-29-2005

RESPECTFULLY.

Leonardo Ruiz M.

AUTHORITIES:

P.C. § 2652
P.C. § 1237.1
P.C. § 2900.3
PEOPLE: VS. THOMAS (1999) CALIFORNIA 4TH—11.22
P.C. § 422.6
P.C. § 673.

PEOPLE. VS. GUILLERMO GARCIA (4-6-2004.

P.C. § 1258.

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"3"

SEPARATION

EXHIBIT. "D"

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EXHIBIT - D.

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PG. # 1

DIRECTOR OF CORRECTION, P.O. BOX 94283-0001
ATTENTION. CHIEF, INMATE APPEALS.
SACRAMENTO, CALIFORNIA, P.O. BOX 94283-0001.

PLANTIFF	CASO #B157194
LEONARDO RUIZ MENDEZ	
T48606. D3-216L	SUP. COURT # TA061861
VS.	
PEOPLES OF CALIPATRIA	POW. P.C. § 1258.
STATE PRISON.-	

2004 STAFE COMP

ARGUMENTS OF UNUSUAL PUNISHMENT, CRUEL CORPORAL, OR UNUSUAL TREATAMENTE, INJUROUS TO HEALT. P.C. § 2652, P.C. § 673 AND P.C. § 1258.

ON/OR DESEMBER 09—2004, THE OFFICER BY THE NAME R. LIZARRAGA, WHO IS OF THE CALIPATRIA STATE PRISON OF THE CALIFORNIA, STATE: HE PLACED TO THE INMATE LEONARDO RUIZ MENDEZ (T48606) OF 69 YEARS OLD, AT RISK OF PHYSICAL AND EMOTIONAL HARM, DAMAGE AND FURTHER PHYSICAL ABUSE, WHENE THE OFFICER ABOVE EN TITLED, WAS SCORTED TO THE INMATE LEONARDO RUIZ MENDEZ FROM THE CALIPATRIA STATE PRISON RECEPTION OFFICES TO THE YARD FACILITY "A" BUILDING NUMBER FIVE IN THE CELL # 241, THE OFFICER CAUSED TO THE INMATE ON HIS LOWER ARM A CIRCULAR CUT ON TO HIM -- SKIN OF THE APROXIMATLE OF ONE HALF INCH LONGER, WAS CAUSED TO THE INMATE UNREASONABLE PAIN AND SUFFERING AND RISK OF PHYSICAL AND EMOTIONAL.....

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HARM, DAMAGE AND FURTHER PHYSICAL ABUSED; AFTER THATS THE SAME OFFICER HE WAS SPRAYER THRUGH TO THE INMATE FACE WITH OFFICIAL ORAL LIQUID'S; AFTER THATS: OFFICER ACTION, AROUND OF THE 2 OR 3 MINUTS LATER, THE OFFICER HE WAS RETURNED TO THE CELL 2211 AND HE TOLD TO THE INMATE THATS: IF YOUR REPORTING TO ME, I WILL BE BACK AND PHYNISH YOU.-

II

AT THIS TIME YOUR HONOR THATS: THE OFFICER R. LIZARRAGA PLACED TO THE INMATE LEONARDO RUIZ MENDEZ ON SERIOUS PHYSICAL HARM SUSTAING A LACERATION TO THE INMATE RIGHT HAND WAS HURT THE HIM ON TWO BROKEN SHORT RIBET ON THE INMATE LEFT SIDD OF THE HIM BODY, THATS SITUATION WAS FAILED OF THE INMATE L. RUIZ, THE HIM CONSTITUTIONAL RIGHT, AND THE PROTECTION THE INMATE WAS REQUIRED, BUT THUS FAR, BECAUSE I HAVE NOT SEEN ANY PROTECTION MATERIALIZED AS THE COMMUTEE SET FOR CONTEST.-

I AM LEONARDO RUIZ MENDEZ DECLARE UNDER PENALTY OF PERJURY THAT: THE FOLLOWING IS TRUE AND CORRECT.

III

CRUEL CORPORAL OR UNUSUAL PUNISHMENT; TREATMENT INJURIOUS TU HEALT P.C.S 2652.

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IT SHALL BE UNLAWFUL TO USED IN PRISONS ANY CRUEL CORPORAL OR UNUSUAL PUNISHMENT OR TO INFLICT ANY TREATMENT OR ALLOW ANY LACK OF CARE WHATEVER, WHICH WOULD IMPAIR THE HEALT OF THE PRISONERS, INMATE OR PERSON CONFINED.

ANY PERSON WHO VIOLATES THE PREVISIONS OF THIS SECTION WHO AIDS, ABETS OR ATTEMPETS IN ANY WAY TO CONTRIBUTE IS IN VIOLATION AND IS GUILTY OF MISDEMEANOR.

IV

CORRECTION OF PRESENTENCE CREDITOS DUE TO CRUEL AND/ OR UNUSUAL CONFINEMENT CONDITIONS.

PEOPLE VS. THOMAS (1999) 21 CAL. 4TH 1122

"THE ADJUSTMENT OF PRESENTENCE CREDITS IS WARRANTED DUE TO CRUEL AND/OR UNUSUAL CONFINEMENT CONDITION WHICH AFFECT THE CONSTITUTIONAL RIGHTS OF A PRISONER NORMAL COMPUTATIONS" DO NOT ALLOW FOR CREDITS WHILE PRISONER IS SEGREGATED OR LOCKED-DOWN.

(A) DATED, SEPTEMBER-29-2005

DEFFENDANT. Leonardo Ruiz M.

AUTORITIES: P.C. § 2652, PEOPLE VS-THOMAS (1999) CAL. 4TH 1122 P.C. § 422.b, P.C. § 673. PEOPLES VS. GUILLERMO GARCIA. (4-6-2004)

P.C. § 1258.-

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LEONARDO RUIZ
FACILITY YARD-3 1402.
CALIPATRIA STATE PRISON.

HOSA H ④

Please Translate *

04-28-2006.

TO: APPEAL COORDINATORE
OFFICES, OF C. S. P.
CALIPATRIA, CA. 92233.

CASO #1: EXHIBIT "B"

CON RELACION A SU OFICIO DE FECHA 25 DE ABRIL DEL 2006; PERMITOME INFORMARLE LO SIGUIENTE: QUE LOS HECHOS CONTENIDOS EN EL EXHIBIT "B": EL LUNES 9 DE DICIEMBRE DEL AÑO 2002; EL INMATE DE NOMBRE LEONARDO RUIZ T48606, FUÉ INTERROGADO - POR EL H. TENIENTE, UN OFICIAL EMPLEADOS DE CALIPATRIA STATE PRISON, ESTE ULTIMO OFICIAL NOMBRADO -- FUNGIO COMO TRADUCTOR, DONDE SE ACUSÓ EL INMATE ARRIBA NOMBRADO DE SERIAS VIOLACIONES AL REGLAMENTO CORRECCIONAL, CON DESICION NEGATIVA PARA LA VICTIMA DE LOS HECHOS, NO CITANDO AL INMATE DE NOMBRE ERNESTO MUÑOS, TESTIGO OCULAR DE LOS REFERIDOS ACTOS, CONTENIDOS EN EL EXHIBIT "B".-

(CASO #2) EXHIBIT "C".-

LOS HECHOS OCURRIDOS DEL EXHIBIT. "C", NO HUBO REPORTE DE LOS OFICIALES QUE CONTROLABAN LA YARDA, COMO SE INDICA EN LA DOCUMENTACION, EL INMATE LEONARDO NO RECIBIO ASISTENCIA DE NINGUNA CLASE, EN LA YARDA CAMINADO SIN NINGUNA AYUDA A LA OFICINA DEL M.T.A; LA CUAL LO LLEVARON

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PASA #2-

RECEIVED CAL APPEALS MAY 0 4 2006

AL CENTRAL HEALTH, EN DONDE SE LE INFORMO TENER DOS COSTILLAS ROTAS DEL COSTADO IZQUIERDO SEGUN LOS RAYOS "X".- NO RECIBIENDO ATENCION DE MEDICO ESPECIALISTA.-

CASO #3- EXHIBIT "D." ENERO 25 OR 28 DEL AÑO 2005, EL INMATE LEONARDO RUIZ DE 69 AÑOS DE EDAD, FUÉ ENTREVITADO POR LA H. TENIENTE DE NOMBRE A. MILLER, UN SARGENTO Y UN OFICIAL LOS CUALES SON O ERAN EMPLEADOS DE CALIPATRIA STATE PRISON; EL SARGENTO GRABO EN UN VIDEO CASET, LA LESSION EN LA PARTE INTERNA DEL BRAZO DERECHO DEL MULTICITADO INMATE LEONARDO RUIZ HABIENDO ENTREGADO LA DOCUMENTACION RELATIVA QUE SE EXPECIFICA EN EL EXHIBIT "D". ESTOS DOCUMENTOS FUERON ENTREGADOS A LA H. TENIENTE A. MILLER EN TIEMPO Y DISTANCIA QUE MARCA LA LEY. LA MULTI CITADA H TENIENTE, LE NOTIFICO AL INMATE LEONARDO RUIZ QUE SE LE CITARIA UNA VEZ MAS, PERO - ESTA ENTREVISTA NO FUÊ EFECTUADA, IGNORANDO EL MOTIVO.-

ME PERMITO HACER LA INFORMACION SIGUIENTE:- EN FORMA SISTEMATICA SEA ESTADO NEGANDO EL ACCESO A LA LIBRERIA LEGAL Y A LOS VENEFICIOS DE EMBIAR DOCUMENTOS LEGALES AL ABOGADO REPRESENTANTE DEL INMATE LEONARDO RUIZ. - - - - - - - -

PASA # 3

SCREENED OUT AUG 25 2006

RECEIVED CAL APPEALS MAY 04 2006

HOJA-# 6

EL NOMBRE DEL ABOGADO: J. BROOKS CALIFORNIA BAR #214187.-CON DOMICILIO Y OFICINA EN LA - CIUDAD DE SAN DIEGO, CA.

POR ESTA SITUACION EL INMATE LEONARDO RUIZ, SE BIO OBLIGADO A DIRIGIRSE DIRECTAMENTE AL CHIEF, INMAT APPEALS, CON OFICINA EN SACRAMENTO CA. ASI COMO REMITIR DOCUMENTOS SIMILARES - AL DISTRICT ATTORNEY DE LA SUPERIOR COURT DEL ESTADO DE CALIFORNIA, POR LOS ANGELES - COUNTY.-

POSTERIORMENTE, DE ESTE PROCEDIMIENTO, SOLICITE UNA ENTREVISTA, (FORMA-GA-22C (9/92) A ESA OFICINA DE APPELACIONES, LA CUAL NO ME FUÉ CONCEDIDA.- ATTE

THANKS YOU FOR YOUR TIME AND CONSIDERATION.-

Leonardo Ruiz T48606.

DATE 04-28-2006.

SCREENED OUT AUG 25 2006

"4"

SEPARATION

EXHIBIT. "E."

EXIBIT E

RECEIVED CAL APPEALS APR 04 2006
RECEIVED CAL APPEALS MAY 04 2006

INMATE/PAROLEE APPEAL FORM
CDC 602 (12/87)

Location: Institution/Parole Region 1. ______ 2. ______
Log No. 1. ______ 2. ______
Category ______

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
LEONARDO RUIZ	T48606	N/A	D-3-140U

A. Describe Problem: ARGUMENTS OF UNUSUAL PUNISHMENT, CRUEL CORPORAL, SERIOUS RISK PHYSICAL AND EMOTIONAL HARM, INJURIOUS TO HEALTH. AUTORITIES: P.C.§ 1237.1, P.C.§ 2900.3, P.C. 2652, PEOPLE VS. THOMAS (1999) CAL. 4TH - 1122; P.C.§ 422.b, P.C. 673 PEOPLE VS. GUILLERMO GARCIA (4-6-2004.- AND SUPPORTING DOCUMENTS ENCLOSED (SEE- EXHIBIT (A) THRU (D).

If you need more space, attach one additional sheet.

B. Action Requested: I AM REQUESTING AN INVESTIGATION INTO ALL OF THE AFORE MENTIONED ALLEGATION.-

Inmate/Parolee Signature: Leonardo Ruiz Date Submitted: 03-30-06

C. INFORMAL LEVEL (Date Received: ______)

Staff Response: ______

Staff Signature: ______ Date Returned to Inmate: ______

D. FORMAL LEVEL
If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: ______ Date Submitted: ______

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:

SCREENED OUT APR 25 2006
SCREENED OUT AUG 25 2006

1

CALIPATRIA STATE PRISON

05/10/2006 3

CALIFORNIA DEPARTMENT OF CORRECTIONS

Inmate / Parolee Appeals Tracking System - Level I & II

Statistic Sheet

Staff Involved

Last Name	First Name	Job Classification	Resolution
LIZARRAGA	R	Correctional Officer	
PERAZA	R	Correctional Officer	
UNKNOWN	YARD OFFICER	Correctional Officer	

Investigation Type: Fact Finding

Modification Orders

Level	Modification Order Type	Assigned To	Sent	Due	Completed	Grant Reason

115 Information

Administrative / Serious: **115 Log Number:** **Hearing Officer:** **Discovery:**

Reimbursement

Cash Award: **Amount Awarded:** **Reimbursement With Like Item(s):**

Factor: **Inmate Signed Waiver:**

Comment:

Comment

other issues - Program -Lockdown

Wants adjustment to pre-sentence credits - alleges cruel and unusual punishment

SCREENED OUT AUG 2 5 2006

CALIPATRIA STATE PRISON

05/10/2006

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CALIFORNIA DEPARTMENT OF CORRECTIONS

Inmate / Parolee Appeals Tracking System - Level I & II

Statistic Sheet

Log Number: CAL-D- **Area Of Origin:** COMPLAINT D **Last Name:** RUIZ **First Name:** LEONARDO **CDC Number:** T48606

Housing At Time Of Appeal:FD0300000000140U **Group Appeal:**

Current Housing: FD0300000000140U **Issue:** STAFF COMPLAINTS **Issue Subcategory:** Staff Vltd Constnl/Civil/DuePr

Inmate Information

Appeal Abuse: NO **Appeal Abuse Until:** **Appeal Flag:** NO **Appeal Flag Until:**

Special Needs:

Other Log Numbers:

Appeal History

Log Number	Issue	L1 Received	L1 Due	L1 Completed	L1 Disposition	L2 Received	L2 Due	L2 Completed	L2 Disposition
CAL-D-06-00165	LEGAL	01/20/2006	03/07/2006	03/06/2006	DENIED				

Screen Outs

Level	Received	Screened Out	Reason	Note
Informal	04/04/2006	04/25/2006	TIME CONSTRAINTS NOT MET	

SCREENED OUT AUG 25 2006

CALIPATRIA STATE PRISON 05/10/2006

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CALIFORNIA DEPARTMENT OF CORRECTIONS

Inmate / Parolee Appeals Tracking System - Level I & II

Statistic Sheet

Informal Level

-- Assignments --

Assigned	Assigned To	Replied
04/17/2006	CDW	04/18/2006

Received: 04/04/2006 **Due:** 04/18/2006 **Completed:** 04/25/2006 **Disposition:** OTHER

Level I

-- Assignments --

Assigned	Assigned To	Replied

Received: **Due:** **Completed:** **Disposition:**

Level II

-- Assignments --

Assigned	Assigned To	Replied

Received: **Due:** **Completed:** **Disposition:**

Level III

Completed: **Disposition:**

SCREENED OUT AUG 2 5 2006

JUL 21 RECD

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

This form needs Spanish Translation

RE: Screening at the INFORMAL Level

July 20, 2006

RUIZ, T48606
FD0300000000140U

Log Number: CAL-D-
(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

There has been too great a TIME LAPSE between when the action or decision occurred and when you filed your appeal with no explanation of why you did not or could not file in a timely fashion. Time limits expired per CCR 3084.6(c). Therefore, if you would like to pursue this matter further, you must submit an explanation and supporting documentation explaining why you did not or could not file your appeal timely.

All staff complaint issues remain screened out due to time constraints. You may appeal your presentence credits by filing a separate appeal addressing that issue only.

D Edwards
Appeals Coordinator
CALIPATRIA STATE PRISON

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

6

Translation of CDC FORM 695

Screening at the Informal Level

Julio 20, 2006

RUIZ T-48606
FD3-140U

Log Number: CAL-D
(Nota numeros de LOG no se assignan si la appelacion no es acceptada o si son al nivel Informal)

The enclosed ....

A pasado mucho tiempo desde cuando occurio su problema y el tiempo en el qual usted pidio la appelacion sin explicacion sobre por que no sometio una appelacion a el tiempo requerido. Los limites de tiempo se encuentran en el Titutlo 15 (CCR) section 3084.6(c). Si quisiera seguir esta appelacion es necesario sumetir una expicasion sobre las rasones por que no se sometio antes y es necesarion sometir la documentacion nesesaria para comprobar la rason.

Appelaciones sobre trabajadores del Estado se tratan igual que otras appelaciones. Si desea continuar con una appelacion en ensta area es necesario que presente una appelacion separada.

Appeals Coordinator
CAL ...

Nota: El no seguir las intrucsiones se considera que usted no qiere coperar, y su appelacion sera automaticamente cancelada segun las relas en el Titutlo 15 CCR 3084.4(d). Si la descision es que su appelacion es cancelada, esa descision no se pude appelar. Si usted piensa esta appelacion es un error, regrese esta appelacion a la oficina de appelaciones con una explicasion sobre el error y qualqier documentos que soportan su posision. Usted tiene 15 dias para completar esta accion.

P8 P. ALANIZ CCII(A)

7

RECEIVED CAL APPEALS APR 04 2006

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION ARNOLD SCHWARZENEGGER, GOVERNOR

INMATE APPEALS BRANCH
1515 S Street, Sacramento, CA 95814
P.O. Box 942883
Sacramento, CA 94283-0001

December 7, 2005

Ruiz, CDC #T-48606
Calipatria State Prison
P.O. Box 5002
Calipatria, CA 92233

Re:

Dear Mr. Ruiz:

The enclosed documents are being returned to you for the following reasons:

Your concerns can be best addressed by filing a CDC Form 602, Inmate/Parolee Appeal.

Your assigned counselor, the Appeals Coordinator, or your Parole Agent can answer any questions you may have regarding the appeals process. Library staff can help you obtain any addresses you need.

N. GRANNIS, Chief
Inmate Appeals Branch

SCREENED OUT AUG 25 2006

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****PERMANENT APPEAL ATTACHMENT-DO NOT REMOVE****

CALIPATRIA STATE PRISON

INMATE/PAROLE APPEALS TRANSLATION

NAME: INMATE RUIZ CDC NO.: T-48606 CAL LOG NO.: N/A
Housing Unit: D3-140U Other Institution Log No. N/A
Issue: STAFF COMPLAINT Date of 602: 03/30/06 Date Rec'd: 05/04/06

The following is the translation from Spanish to English for the above-mentioned appeal, which was received by me on April 28, 2006.

Leonardo Ruiz T-48606
Facility Yard-3 140L
Calipatria State Prison

To: Appeal Coordinator
Offices of CSP
Calipatria, CA. 92233

Case #1 Exhibit "B"

With relation to your decision of April 25, 2006, let me inform you of the following: That the items in Exhibit "B": On Monday 9 of December 2006, Inmate Leonardo Ruiz, CDC# T-48606, was interrogated by a Lieutenant, an employee of Calipatria State Prison. The last official named, worked as a translator where the inmate named above was accused of violating several Correctional rules with a negative decision for the victim of these events who was not present, Inmate Ernesto Munoz, a witness, who observed the events mentioned in Exhibit "B".

Case #2 Exhibit "C"

The events that happened about Exhibit "C" there was no report from the officials that controlled the yard as indicated in the documentation. Inmate Leonardo did not receive any assistance in the yard. He walked without help to the MTA office. He was then taken to Central Health where he was informed that he had two (2) broken ribs on his left side according to the x-rays. He did not receive any attention from a specialist.

SCREENED OUT AUG 25 2006

Case #3 Exhibit "D" January 25 or 28, 2005

Inmate Leonardo Ruiz, age sixty-nine (69) was interviewed by Lieutenant Miller, a Sergeant and an Officer who are employees of Calipatria State Prison. The Sergeant video taped the injury to the inside of the right arm of Inmate Leonardo Ruiz, having submitted the documentation relative as noted in Exhibit "D". These documents were turned in to Lieutenant A. Miller in the appropriate time according to the law. The Lieutenant informed Inmate Leonardo Ruiz that he would be scheduled at a later time, however, this interview did not occur.

I want to inform the following: In a systematic form, there has been a denial to the Legal Library and the benefits of sending legal documents to the Attorneys and representatives of Leonardo Ruiz. The name of the Attorney is J. Brooks, California Bar A-214187, with an address in San Diego, California.

Because of this situation, Inmate Leonardo Ruiz has seen himself forced to direct himself to the Chief Inmate Appeals with an office in Sacramento, California. As well, send similar documents to the District Attorney of the Supreme Court of the State of California in Los Angeles County.

Before in this process, I requested an interview (form GA-22c (9/92) to the Appeal Office, the interview was not carried out.

P. Alvarez CCII(A)
Translation by

07-14-06
Date

SCREENED OUT AUG 25 2006

(2)

RECEIVED CAL APPEALS MAY 0 4 2006

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the INFORMAL Level

April 25, 2006

RUIZ, T48606
FD0300000000140U

Log Number: CAL-D-
(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

There has been too great a TIME LAPSE between when the action or decision occurred and when you filed your appeal with no explanation of why you did not or could not file in a timely fashion. Time limits expired per CCR 3084.6(c). Therefore, if you would like to pursue this matter further, you must submit an explanation and supporting documentation explaining why you did not or could not file your appeal timely.

Appeals Coordinator
CALIPATRIA STATE PRISON

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

SCREENED OUT AUG 25 2006

(3)

CALIPATRIA STATE PRISON 07/20/2006

(4)

CALIFORNIA DEPARTMENT OF CORRECTIONS

Inmate / Parolee Appeals Tracking System - Level I & II

Statistic Sheet

Staff Involved

Last Name	First Name	Job Classification	Resolution
LIZARRAGA	R	Correctional Officer	
PERAZA	R	Correctional Officer	
UNKNOWN	YARD OFFICER	Correctional Officer	

Investigation Type: Fact Finding

Modification Orders

Level	Modification Order Type	Assigned To	Sent	Due	Completed	Grant Reason

115 Information

Administrative / Serious: **115 Log Number:** **Hearing Officer:** **Discovery:**

Reimbursement

Cash Award: **Amount Awarded:** **Reimbursement With Like Item(s):**

Factor: **Inmate Signed Waiver:**

Comment:

Comment

other issues - Program -Lockdown

Wants adjustment to pre-sentence credits - alleges cruel and unusual punishment
Appeal sent to CDW on 4/17/06 for consideration as a complaint against staff. It was returned on 4/25/06 with the instructions to screen it out for time constraints. - hf

5/10 Translation of Screening Review Request.//recd translation of I/M rebuttal to screening letter of 4-25-06.//all staff complaint issues remain s/o due to time constraints//inmate may appeal his presentence credits by filing a separate appeal addressing that issue only. 7-20-06.//Forward to AW C/D for translation to spanish of screening form. 7-20-06 de

SCREENED OUT AUG 2 5 2006

CALIPATRIA STATE PRISON

07/20/2006

(5)

CALIFORNIA DEPARTMENT OF CORRECTIONS

Inmate / Parolee Appeals Tracking System - Level I & II

Statistic Sheet

Informal Level

-- Assignments --

Assigned	Assigned To	Replied
05/10/2006	AW C/D	07/14/2006
07/20/2006	AW C/D	

Received: 05/04/2006 **Due:** 08/18/2006 **Completed:** **Disposition:**

Level I

-- Assignments --

Assigned	Assigned To	Replied

Received: **Due:** **Completed:** **Disposition:**

Level II

-- Assignments --

Assigned	Assigned To	Replied

Received: **Due:** **Completed:** **Disposition:**

Level III

Completed: **Disposition:**

AUG 25 2006

SCREENED OUT

CALIPATRIA STATE PRISON 07/20/2006

CALIFORNIA DEPARTMENT OF CORRECTIONS

Inmate / Parolee Appeals Tracking System - Level I & II

Statistic Sheet

Log Number: CAL-D- **Area Of Origin:** COMPLAINT D **Last Name:** RUIZ **First Name:** LEONARDO **CDC Number:** T48606

Housing At Time Of Appeal:FD0300000000140U **Group Appeal:**

Current Housing: FD0300000000140U **Issue:** STAFF COMPLAINTS **Issue Subcategory:** Staff Vltd Constnl/Civil/DuePr

Inmate Information

Appeal Abuse: NO **Appeal Abuse Until:** **Appeal Flag:** NO **Appeal Flag Until:**

Special Needs:

Other Log Numbers:

Appeal History

Log Number	Issue	L1 Received	L1 Due	L1 Completed	L1 Disposition	L2 Received	L2 Due	L2 Completed	L2 Disposition
CAL-D-06-00165	LEGAL	01/20/2006	03/07/2006	03/06/2006	DENIED				

Screen Outs

Level	Received	Screened Out	Reason	Note
Informal	04/04/2006	04/25/2006	TIME CONSTRAINTS NOT MET	

SCREENED OUT AUG 2 5 2006

"5"

SEPARATION

EXHIBIT "F"

CALIPATRIA STATE PRISON

INVESTIGATIVE SERVICES UNIT

CASE REFERRAL TO

IMPERIAL COUNTY DISTRICT ATTORNEY

DATE:	**05-31-07**	INCIDENT LOG NUMBER	**CAL-FDY-07-04-0116**
REPORT RECEIVED:	**05-09-07**	INCIDENT REPORT TITLE	**ATTEMPTED MURDER OF INMATE**
REPORT DATED:	**04-13-07**	INMATE NAME & CDC NUMBER:	**RUIZ T48606**

The above case was evaluated for referral to the Imperial County District Attorney and the following decision was made:

________ Report returned to involved staff for more data:
________ Investigation being conducted by Security and Investigations:
X No referral to the District Attorney will be made since:

- _______ There was no significant injury.
- _______ Potential for injury existed, but victim will not testify
- _______ Prima facie evidence exists, but there is insufficient data for other than administrative action.
- _______ Insufficient quantity of drugs for prosecution.
- _______ Problems exist with the chain of evidence.
- _______ Inmate has a long sentence and the most appropriate resolution will be effected via administrative disposition.
- _______ Not a referable offense.
- _______ Does not meet criteria of agreement with District Attorney.
- X Other WAS THE VICTIM OF ATTEMPTED MURDER
- _______ __/__/__, this case was referred to the Imperial County District Attorney.
- _______ On __/__/__, the Investigation Services Unit received written notice that the Imperial County District Attorney rejected / dismissed this case.
- _______ Any pending disciplinary action should be completed at this time and a closure report completed and Forwarded to the Associate Warden-Housing for distribution

The above is pursuant to revision of the California Code of regulations, Title 15 Section 3316, which allows for discretionary referral of criminal cases.

Any questions may addressed via the Captain, Security and Investigations Unit at extension 5340.

RECEIVED
JUN 11 2007
By________

G. Stratton Lt

G. Stratton, Lieutenant
Chief Investigator
Investigative Services Unit

Original: Incident Package

cc: AW A/B or C/D
Records
AW Custody
Inmate
Facility Lieutenant

CDCR NO #: T48606 **NAME:** RUIZ **HOUSING:** A5 125
PS: 36 **LEVEL:** III **MEPD:** 06/20/2014 **CUSTODY:** MAX R
WG/PG: D1D EFF. 04/13/07 **NEXT ANNUAL:** 03/08

INITIAL/ANNUAL REVIEW: ANNUAL REVIEW FOR THE PERIOD OF 03/20/06 TO 03/19/07 / PS REDUCED FROM 40 TO 36 / RETAIN ASU PENDING COMPLETION OF INVESTIGATION BY ISU INTO HOUSING CONCERNS / ESTABLISH MAX R CUSTODY & WG/PG D1D EFFECTIVE 04/13/07 / **REFER TO CSR RX A 90 DAY ASU EXTENSION** / DOUBLE CELL APPROVED W/ SNY / ASSIGN WALK ALONE YARD / NO MHSDS, MDO, DDP, OR DPP ISSUES NOTED / RESCHEDULE ICC ON 05/17/07 / C/O R. LIZARRAGA WAS ASSIGNED AS STAFF ASSISTANT DUE TO LIMITED ENGLISH

Inmate Ruiz was screened in person by ICC today for the purpose of an Initial ASU/Annual Review. Staff Assistant C/O R. Lizarraga was assigned due to inmate's Limited English. Inmate was placed in Administrative Segregation Unit (ASU) on 04/13/07 for the offense of being the victim of Attempted Murder and for housing concerns, referenced in Confidential Memorandum dated 04/17/07 authored by E. Delgado, C/Sgt. The 114D interview was conducted on 04/16/07 by M. Hill, FC (A) and was co-signed by C. Butler AW (A) on 04/17/07. The 114D hearing was conducted on 04/19/07 by ICC. Staff Assistant S. Hill, C/O was assigned. Investigative Employee was not assigned. The issues are not complex nor is the Inmate illiterate. His reading GPL is K.0-ESL. Review of the 114D was within time limitations and no witnesses were requested. Committee finds that segregated housing is appropriate and elects to retain Inmate in AD SEG pending completion of investigation by ISU. This Committee also serves as Inmate's Annual Review for the periods of 03/20/06 to 03/19/07. Inmate received 2 periods of Disciplinary Free behavior and no qualifying periods of work. Inmate's placement score is reduced from 40 to 36. Inmate requested Walk Alone Yard since he feels he may be assaulted again. **Committee refers this case to the CSR requesting a 90 Day ASU Extension.** This case is at the Institutional Level for D.A. referral. If inmate is scheduled for court, CAL will be responsible for transportation of Inmate. Case factors remain the same as noted in Initial CDC 128G dated 05/17/02. TB code 32 is noted in CDC 128C dated 12/05/06. Enemies in AD SEG are noted. Committee elects to assign Walk Alone Yard. Inmate's case was reviewed for double cell housing and no pervasive pattern of in cell violence is noted. Inmate is assigned to double cell housing with SNY inmates. CDC 1882 is located in the central file. He was endorsed to CAL-IV General Population on 04/30/02 and endorsed to CAL-IV SNY on 06/15/06. Next BPH Initial is scheduled for 05/2013. Inmate does not meet MDO, DPP or DDP criteria. Inmate is not a participant in the MHSDS. CDC 128-C2 indicates NCF. Confidential information was not used. Inmate is assigned to AD SEG earning status WG/PG D1D effective 04/13/07, custody is changed to MAX R. Inmate was placed on non contact visiting status effective 04/13/07. Inmate was advised he would be rescheduled for ICC on 05/17/07. Inmate actively participated and stated he understood the actions of the Committee. Inmate was advised of his right to appeal and this Committee acts as his first level of appeal. His next Annual Review is 03/08. Inmate had no questions or comments to address to the committee at this time. There are no other pertinent case factors noted. (sjs)

G.J. JANDA, CDW (A) Chairperson J. MUDRA, CCII Recorder

Committee Members: W.J. Price, AW (A); M. Hill, FC (A); J. Kellerman, Asst. C&PR; D. Middleton, M.D.
cc: Counselor, Inmate
Date: 04/19/07 **CLASSIFICATION:** ICC AD/SEG **INST:** CAL-IV

2 KB

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS

ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE

CDC 114-D (Rev 10/98)

DISTRIBUTION:
WHITE - CENTRAL FILE — CANARY - WARDEN
BLUE - INMATE (2ND COPY) — PINK - HEALTH CARE MGR
GREEN - ASU — GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME	CDC NUMBER
RUIZ	T-48606

REASON(S) FOR PLACEMENT *(PART A)*

- [X] PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS
- [ ] JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY
- [X] ENDANGERS INSTITUTION SECURITY
- [ ] UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT: On Friday, April 13, 2007 at approximately 1335 hours, Facility 'D' Staff identified you, Inmate RUIZ, T-40606, D3-117L, as the victim of a battery with the use of a weapon, causing serious injury, by Inmate YERENA, F-20053, and Inmate GARCIA, F-16080, on Yard #2 of Facility D. Based on the aforementioned, you are being placed in Administrative Segregation pending Administrative Review for appropriate housing and program needs. As a result of this placement, your Custody Level, Privilege Group, Work Status, and Visiting Status are subject to change. Inmate RUIZ is not a participant in the Mental Health Services Delivery System (MHSDS) and his G.P.L.is: K.O.

- [ ] CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)
- [ ] IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /

DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE
[illegible]	R. HOPPER	[illegible]	LIEUTENANT

DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE	STAFF'S TITLE
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[ ] INMATE REFUSED TO SIGN	INMATE SIGNATURE	CDC NUMBER
	[illegible]	[illegible]

ADMINISTRATIVE REVIEW *(PART B)*

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)

STAFF ASSISTANT NAME	TITLE

INVESTIGATIVE EMPLOYEE (IE)

INVESTIGATIVE EMPLOYEE'S NAME	TITLE

IS THIS INMATE:

- LITERATE? [ ] YES [ ] NO
- FLUENT IN ENGLISH? [ ] YES [ ] NO
- ABLE TO COMPREHEND ISSUES? [ ] YES [ ] NO
- FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? [ ] YES [ ] NO
- DECLINING FIRST STAFF ASSISTANT ASSIGNED? [ ] YES

Any "NO" requires SA assignment

[ ] NOT ASSIGNED

- EVIDENCE COLLECTION BY IE UNNECESSARY [ ] YES [ ] NO
- DECLINED ANY INVESTIGATIVE EMPLOYEE [ ] YES [ ] NO
- ASU PLACEMENT IS FOR DISCIPLINARY REASONS [ ] YES [ ] NO
- DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED [ ] YES

Any "NO" may require IE assignment

[ ] NOT ASSIGNED

INMATE WAIVERS

- [ ] INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER
- [ ] INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
- [ ] NO WITNESSES REQUESTED BY INMATE

INMATE SIGNATURE	DATE
[illegible]	

WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION: [ ] RELEASE TO UNIT/FACILITY________ [ ] RETAIN PENDING ICC REVIEW [ ] DOUBLE CELL [ ] SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE

CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)	CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)	DATE OF REVIEW

See chronological Classification Review document (CDC 128 - G) for specific hearing information

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STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT - PART C PAGE ___ OF ___

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
F-16090	GARCIA	04-07-D010	CSP/CAL IV	6/20/07

☐ SUPPLEMENTAL ☒ CONTINUATION OF: ☐ 115 CIRCUMSTANCES ☐ HEARING ☒ IE REPORT ☐ OTHER ______

WITNESS #9 STATEMENT: The following questions were asked to Inmate RUIZ, T-48606, per Inmate GARCIA's request:

Q #1): "What would be the motive for such a groozem assult?" More was the intention of Garcia, F16090

A #1): over subject pertaining to Inmate Pictures of Garcia, F-16090 — transaction toward payment returned to Ruiz, T-48606 of Donation to said Pictures!

Q #2): "Did you see you attacker?"

A #2): Yes, Inmate Garcia, F-16090, a moment after said action.

Q #3): "Where you able to see if you were ~~attaet~~ attacked with the (left) hand or the (rite) hand?" (and right both) behind me in a hold with [illegible] arm in

A #3): He Inmate Garcia, F-16090, first attacked me from [illegible] If yes with left [illegible] arm proceeded to cut my throat left side, left side of face, ear and back of head!

Q #4): "Do you have anybody in the yard other than Mr. Garcia, F-16090, who does not like you?"

A #4): No, just other element; whom are Homboy: to Garcia, F-18090, it's possible, they're working with Garcia, F-16090!

Q #5): "Was their any witnesses at the time of the attack?"

A #5): Only One, who was in front of me talking with me, his nickname "Cuba", he lives in D-yard/Cell-134!!

Q #6): "Did GARCIA, F-16090, ever thretten you in any way if so why was it not reported to staff?" nickname "Jugie"

A #6): In, on April 12 2007, another through as friend of Garcia, F-16090, He, lives in D-yard' cell 118/Building #3, he told me if, I didn't sent the photo; some-problem; would happen to me!!

Q #7): "Was their ever any kind of illegal transaction betwee you and Mr. GARCIA, F-16090, money for instance?" Just Legal/but, he'd asked to receive money from his family, because, he

A #7): didn't want to pay restitution concerning his own cases I didn't except it and he took dislike to me, [illegible]

Q #8): "Have you ever bin convicted of a fellony if so, explain the ~~offence~~ offense?" It is possible you might have enemies because of that crime?" N/A

A #8):

Q #9): "Where you ever housed with Inmate GARCIA, F-16090?"

A #9): yes, In yard 'D'/ [illegible] Building #3/cell 140, I was lowerbunk/for about 2 week. nothing more!! (physical

Q #10): "Did you ever have a phisical problem with Inmate GARCIA, F-16090, while housed with him?"

A #10): N/A

Q #11): "How long where you housed with Inmate GARCIA, F-16090?"

A #11): Same as to no. #9 above!!

Q #12): "Did you ever file an ~~in compatable~~ incompatible move in your stay with Inmate GARCIA, F-16090?"

A #12): "No", never!!

Leonardo Ruiz/T48606

SIGNATURE OF WRITER	DATE
R. DOMINGUEZ, Correctional Officer	

☐ COPY OF CDC 115 GIVEN TO INMATE	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME

CDC 115-C / REVISED (6/96)

Correction' to question #3), of Witness #9 Statement, Concerning, Garcia, F-16090, Request in answer to; of "Witness"/Victim; Ruiz, T-48606

Question #3): Where you ~~able~~ able to see if you were attacked with the left hand or the right ~~han~~ hand?

Answer: "yes", The Inmate Garcia, F-16090, first attacked me from behind in a hold with his right arm/hand, and with his left arm/hand proceeded to cut my throat left side, left side of face, ear and back of head!!

Correction' done by me;

Leonardo Ruiz/T48606.
06-22-07.

CALIFORNIA DEPARTMENT OF CORRECTIONS
CALIPATRIA STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: MAR. 01, 2007 THRU APR. 11, 2007

ACCOUNT NUMBER : T48606 BED/CELL NUMBER: FD0300000000117L
ACCOUNT NAME : RUIZ, LEONARDO MENDEZ ACCOUNT TYPE: I
PRIVILEGE GROUP: B

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
03/01/2007		BEGINNING BALANCE					25.00
03/16	W401	DONATION-ALCO	D3	4977		22.00	3.00
04/09	FC04	DRAW-FAC 4	D-3/605475			3.00	0.00

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
25.00	0.00	25.00	0.00	0.00	0.00

CURRENT AVAILABLE BALANCE
0.00

02-1922

6 of 9

YOUR HONOR

DUE TO CDC POLICIES THE TRUST STATEMENT WILL BE SENT DIRECTLY TO YOUR OFFICE. THUS IT WILL NOT BE ATTACHED AS THE INSTRUCTIONS STATE. RESPECTFULLY.

THANK YOU

X Leonardo Ruiz Méndez : 11-29-2007

PROOF OF SERVICE BY MAIL

I, M. LEONARDO RUIZ MENDEZ T48606, declare;

I am at least 18 years of age, and a party / and not a party to the attached herein cause of action. My mailing address is;

PLEASANT VALLEY STATE PRISON
FACILITY D, BUILDING 1, CELL D-2-223L.
POST OFFICE BOX 8504
COALINGA CALIFORNIA
93210-8504

On 11-29-, 2007, I delivered to prison officials at Pleasant Valley State Prison at the above address the following documents for mailing via the U.S. Postal Service:

1. ORIGINAL + 4 COPIES COMPLAINT 8 PAGES
2. ORIGINAL + 2 COPIES EXHIBIT "B" 2 PAGES, "C" 2 PAGES
3. "D" 6 PAGES, "E" 14 PGS, "F" 7 PAGES
4.

In a sealed envelope(s) with postage fully prepaid, addressed to:

1. CLERK OF THE COURT, U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIF RM 4290, 880 FRONT STREET SAN DIEGO CA 92101-8900

3.

4.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11-29-2007, 2007, at Coalinga, California.

Leonardo Ruiz Méndez
Petitioner / Declarant IN PRO PER

JS44
(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the ~~United States in September 1974~~ is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

2254 ____ 1983 ✓
FILING FEE PAID
Yes ____ No ✓
IFP MOTION FILED
Yes ____ No ____
COPIES SENT TO
Court ✓ ProSe ✓

FILED
2007 DEC -7 PM 3:34
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: ____ DEPUTY

I (a) PLAINTIFFS

Leonardo Ruiz Mendez

DEFENDANTS

Scribner, et al

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Fresno
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Leonardo Ruiz Mendez
PO Box 8504
Coalinga, CA 93210
T-48606

ATTORNEYS (IF KNOWN)

'07 CV 2299 DMS BLM

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX (For Diversity Cases Only) FOR PLAINTIFF AND ONE BOX FOR DEFENDANT

	PT	DEF		PT	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated or Principal Place of Business in This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business in Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT
☐ 110 Insurance
☐ Marine
☐ Miller Act
☐ Negotiable Instrument
☐ 150 Recovery of Overpayment &Enforcement of Judgment
☐ 151 Medicare Act
☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
☐ 153Recovery of Overpayment of Veterans Benefits
☐ 160 Stockholders Suits
☐ Other Contract
☐ 195 Contract Product Liability

REAL PROPERTY
☐ 210 Land Condemnation
☐ 220 Foreclosure
☐ 230 Rent Lease & Eiectmant
☐ 240 Tort to Land
☐ 245 Tort Product Liability
☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
☐ 310 Airplane
☐ 315 Airplane Product Liability
☐ 320 Assault, Libel & Slander
☐ 330 Federal Employers' Liability
☐ 340 Marine
☐ 345 Marine Product Liability
☐ 350 Motor Vehicle
☐ 355 Motor Vehicle Product Liability
☐ 360 Other Personal Injury

PERSONAL INJURY
☐ 362 Personal Injury- Medical Malpractice
☐ 365 Personal Injury - Product Liability
☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
☐ 370 Other Fraud
☐ 371 Truth in Lending
☐ 380 Other Personal Property Damage
☐ 385 Property Damage Product Liability

CIVIL RIGHTS
☐ 441 Voting
☐ 442 Employment
☐ 443 Housing/Accommodations
☐ 444 Welfare
☐ 440 Other Civil Rights

PRISONER PETITIONS
☐ 510 Motions to Vacate Sentence Habeas Corpus
☐ 530 General
☐ 535 Death Penalty
☐ 540 Mandamus & Other
☒ 550 Civil Rights

FORFEITURE/PENALTY
☐ 610 Agriculture
☐ 620 Other Food & Drug
☐ 625 Drug Related Seizure of Property 21 USC881
☐ 630 Liquor Laws
☐ 640 RR & Truck
☐ 650 Airline Regs
☐ 660 Occupational Safety/Health
☐ 690 Other

LABOR
☐ 710Fair Labor Standards Act
720 Labor/Mgmt. Relations
☐ 730 Labor/Mgmt. Reporting & Disclosure Act
☐ 740 Railway Labor Act
☐ 790 Other Labor Litigation
☐ 791 Empl. Ret. Inc.
☐ Security Act

BANKRUPTCY
☐ 422 Appeal 28 USC 158
☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
☐ 820 Copyrights
☐ 830 Patent
☐ 840 Trademark

SOCIAL SECURITY
☐ 861 HIA (13958)
☐ 862 Black Lung (923)
☐ 863 DIWC/DIWW (405(g))
☐ 864 SSID Title XVI
☐ 865 RSI (405(g))

FEDERAL TAX SUITS
☐ 870 Taxes (U.S. Plaintiff or Defendant)
☐ 871 IRS - Third Party 26 USC 7609

OTHER STATUTES
☐ 400 State Reappointment
☐ 410 Antitrust
☐ 430 Banks and Banking
☐ 450 Commerce/ICC Rates/etc.
☐ 460 Deportation
☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 810 Selective Service
☐ 850 Securities/Commodities Exchange
☐ 875 Customer Challenge 12 USC
☐ 891 Agricultural Acts
☐ 892 Economic Stabilization Act
☐ 893 Environmental Matters
☐ 894 Energy Allocation Act
☐ 895 Freedom of Information Act
☐ 900 Appeal of Fee Determination Under Equal Access to Justice
☐ 950 Constitutionality of State
☐ 890 Other Statutory Actions

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appelate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT: ☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23 DEMAND $ Check YES only if demanded in complaint: JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE Docket Number

DATE December 7, 2007 ~~SIGNATURE OF ATTORNEY OF RECORD~~ R Mendez